IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION NO. 3:14-CR-36-MOC-DSC

UNITED STATES OF AMERICA,)	
)	
)	
)	
v.)	<u>ORDER</u>
)	
Defendant.)	
)	
)	
Defendant.	,	

THIS MATTER is before the Court on Defendant's letter to Magistrate Judge David C. Keesler received on April 14, 2014. (doc. 13) The Court held a hearing in this matter on April 23, 2014.

The Court heard from the Defendant, appointed counsel Christopher B. Shella, and the Government. Defendant complains that he has not had sufficient contact with Mr. Shella, and that this is due to counsel's office being located in Durham. Mr. Shella represented that he has met with Defendant and reviewed all discovery with him including videotapes. Counsel also represents that he is preparing for trial. He has provided Defendant with all of his contact information. It appears that Defendant is satisfied with Mr. Shella's representation, but has been frustrated by the difficulty in contacting him from the local jail.

"Because the right to choose counsel is not absolute, it necessarily follows that a defendant does not have an absolute right to substitution of counsel. As a general rule, a defendant must show good cause in requesting a new appointed lawyer." <u>United States v. Mullen</u>, 32 F.3d 891,

895 (4th Cir. 1994). Here, Defendant's concerns do not establish good cause for the Court to appoint new counsel. Based upon the foregoing, the Motion is DENIED.

The Clerk is directed to send copies of this Order to counsel for the parties; and to the Honorable ${\rm Max}$ O. Cogburn, ${\rm Jr}$.

SO ORDERED.

Signed: April 23, 2014

David S. Cayer

United States Magistrate Judge